

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/477,870  
Filing Date January 5, 2000  
First Named Inventor Chia-Hong Jan  
Group Art Unit 2811  
Examiner Name Douglas Owens  
Attorney Docket No. 42.P5488D9 [042390.P5488D9]

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**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other; Petition for Two-Month Extension

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$400.00)
- iii. ☐ Processing fee under 37 C.F.R. § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other \_\_\_\_\_
- b. ☒ Two checks in the amounts of \$740.00 and \$400.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) Stephen M. DeKlerk Registration No. (Attorney/Agent) 46,503  
Signature Stephen M. DeKlerk Date August 12, 2002

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Linda K. Brost  
Signature Linda K. Brost Date August 12, 2002

#12  
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RCE  
McMullen  
9/18/02



Attorney's Docket No.: 42.P5488D9 [042390.P5488D9]

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of:

Chia-Hong Jan, et al.

Application No.: 09/477,870

Filed: January 5, 2000

For: A DEVICE WITH THIN AND THICK  
SPACERS FOR IMPROVED SALICIDE  
RESISTANCE ON POLYSILICON GATES

Examiner: Douglas Owens

Art Unit: 2811

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Assistant Commissioner of Patents  
Washington, D.C. 20231-9998

PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination of the above-referenced application, the Applicant respectfully requests the Examiner to enter the following amendments and to consider the following remarks. The Examiner is requested to enter this amendment before calculating the fee.

First-Class Certificate of Mailing

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August 12, 2002

Date of Deposit

Linda K. Brost

Name of Person Mailing Correspondence

*Linda K. Brost*  
Signature

*August 12, 2002*  
Date

Chia-Hong Jan, et al.  
Application No.: 09/477,870

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Art Unit: 2811